

Exhibit A

From: [Alyssa Riggins](#)
To: [Jones, Stanton](#); [Cassie Holt](#); [Phil Strach](#); [Raile, Richard](#); [Jordan Koonts](#); [Lewis, Patrick T.](#); [McKnight, Katherine L.](#); [Babb, Mary Carla \(Hollis\)](#); [Stanley, Trevor M.](#); [Prouty, Erika Dackin](#); [Hooper, Rachel Palmer](#); [Doyle, Ty](#); [Steed, Terence](#)
Cc: [Theodore, Elisabeth](#); [Ferenc, Sam](#); espeas@poynerspruill.com
Subject: RE: Pierce v. NCSBE -- Plaintiff experts
Date: Thursday, June 20, 2024 6:02:34 PM
Attachments: [image001.png](#)

External E-mail

Stanton,

We are authorized to accept service for Representative Hall and Senators Daniel, Newton, and Hise. However, neither Representative Hall, nor Senators Daniel or Newton will be waiving their legislative privilege in this matter. Likewise, neither Senator Berger nor Speaker Moore will be waiving their legislative privilege. If you'd like to schedule a time to discuss this, please let us know some times you are available later this week or early next.

As to the depositions—we do intend to seek depositions of the 11 individuals referenced in your earlier email. We are considering seeking depositions of other members, local officials, and potentially members of the State Board. We can let you know once decisions are made in accordance with the applicable rules. Our logic behind the 15 number was that it covered the 11 we already knew about, plus a few more to account for the others we are considering. We are, of course, willing to make any increase reciprocal.

Best,

Alyssa



ALYSSA RIGGINS SENIOR ASSOCIATE

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From: Jones, Stanton

Sent: Wednesday, June 19, 2024 10:55 AM

To: Alyssa Riggins ; Cassie Holt ; Phil Strach ; Raile, Richard ; Jordan Koonts ; Lewis, Patrick T. ; McKnight, Katherine L. ; Babb, Mary Carla (Hollis) ; Stanley, Trevor M. ; Prouty, Erika Dackin ; Hooper, Rachel Palmer ; Doyle, Ty ; Steed, Terence

Cc: Theodore, Elisabeth ; Ferenc, Sam ; espeas@poynerspruill.com

Subject: RE: Pierce v. NCSBE -- Plaintiff experts

Thanks Alyssa. We're going to serve subpoenas for depositions and documents on the chairs of the Senate and House redistricting committees – namely, Senators Daniels, Hise, and Newton, and Representative Hall. Will you all accept service of the subpoenas on their behalf? If not, do you know if they are represented in this matter, and if so by whom?

On your request regarding depositions, we don't object in principle to allowing more than 10 depositions per side in this case, but we'd like this to be a reciprocal arrangement allowing an appropriate number of depositions based on who each side intends to call as a witness at trial. Your initial disclosures list Senators Daniels, Hise, and Newton, but also have a broad catch-all category for "County Election Directors and/or County Elected Officials or leaders in counties that include a majority-minority legislative district," which could cover many dozens (or hundreds) of people. Can you tell us who you intend to call within that group? Also, to help us evaluate your request for up to 15 depositions, please let us know who you plan to depose besides the two Plaintiffs, Plaintiffs' four experts, and the five current or former legislators listed in Plaintiffs' initial disclosures (which is 11 people total).

Also, if any legislators intend to invoke legislative privilege to resist discovery in this case, we are open to discussing an arrangement whereby we take discovery only from any legislator(s) whom Defendants may call to testify at trial (or from whom you may otherwise present evidence).

We are happy to arrange a call to discuss any or all of these issues.

Regards,
Stanton

From: Alyssa Riggins <alyssa.riggins@nelsonmullins.com>

Sent: Wednesday, June 19, 2024 10:20 AM

To: Cassie Holt <cassie.holt@nelsonmullins.com>; Jones, Stanton

<Stanton.Jones@arnoldporter.com>; Phil Strach <phil.strach@nelsonmullins.com>; Raile, Richard <rraile@bakerlaw.com>; Jordan Koonts <jordan.koonts@nelsonmullins.com>; Lewis, Patrick T. <plewis@bakerlaw.com>; McKnight, Katherine L. <kmcknight@bakerlaw.com>; Babb, Mary Carla (Hollis) <MCBabb@ncdoj.gov>; Stanley, Trevor M. <tstanley@bakerlaw.com>; Prouty, Erika Dackin <eprouthy@bakerlaw.com>; Hooper, Rachel Palmer <rhooper@bakerlaw.com>; Doyle, Ty <tgdoyle@bakerlaw.com>; Steed, Terence <Tsteed@ncdoj.gov>

Cc: Theodore, Elisabeth <Elisabeth.Theodore@arnoldporter.com>; Ferenc, Sam <Sam.Ferenc@arnoldporter.com>; espeas@poynerspruill.com

Subject: RE: Pierce v. NCSBE -- Plaintiff experts

External E-mail

Stanton,

Hope you had a nice weekend. We wanted to check back in on our proposal from Friday afternoon to increase the number of depositions. Could you please let us know Plaintiffs' position at your earliest convenience?

Best,
Alyssa



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From: Cassie Holt <cassie.holt@nelsonmullins.com>

Sent: Friday, June 14, 2024 4:40 PM

To: Jones, Stanton <Stanton.Jones@arnoldporter.com>; Alyssa Riggins <alyssa.riggins@nelsonmullins.com>; Phil Strach <phil.strach@nelsonmullins.com>; Raile, Richard <rraile@bakerlaw.com>; Alex Bradley <alex.bradley@nelsonmullins.com>; Lewis, Patrick T. <plewis@bakerlaw.com>; McKnight, Katherine L. <kmcknight@bakerlaw.com>; Babb, Mary Carla (Hollis) <MCBabb@ncdoj.gov>; Stanley, Trevor M. <tstanley@bakerlaw.com>; Prouty, Erika Dackin <eprouthy@bakerlaw.com>; Hooper, Rachel Palmer <rhooper@bakerlaw.com>; Doyle, Ty <tgdoyle@bakerlaw.com>; Steed, Terence <Tsteed@ncdoj.gov>

Cc: Theodore, Elisabeth <Elisabeth.Theodore@arnoldporter.com>; Ferenc, Sam <Sam.Ferenc@arnoldporter.com>; espeas@poynerspruill.com

Subject: RE: Pierce v. NCSBE -- Plaintiff experts

Dear Stanton,

Absent an intervening Scheduling Order, Legislative Defendants intend to serve expert reports and data on July 12, 2024 in accordance with our proposed schedule.

We have also reviewed Plaintiffs' Initial Disclosures. Given that the number of Plaintiffs, fact witnesses, and experts disclosed by Plaintiffs exceeds the number of depositions agreed to in this matter (10), Legislative Defendants propose increasing the number of depositions to 15. Please let us know your position on that proposal.

Additionally, please find attached for service Legislative Defendants' First Set of Discovery to Plaintiffs.

Thank you,

Cassie



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From: Steed, Terence <Tsteed@ncdoj.gov>

Sent: Thursday, June 13, 2024 2:33 PM

To: Jones, Stanton <Stanton.Jones@arnoldporter.com>; Alyssa Riggins <alyssa.riggins@nelsonmullins.com>; Phil Strach <phil.strach@nelsonmullins.com>; Raile, Richard <rraile@bakerlaw.com>; Cassie Holt <cassie.holt@nelsonmullins.com>; Alex Bradley <alex.bradley@nelsonmullins.com>; Lewis, Patrick T. <plewis@bakerlaw.com>; McKnight, Katherine L. <kmcknight@bakerlaw.com>; Babb, Mary Carla (Hollis) <MCBabb@ncdoj.gov>; Stanley, Trevor M. <tstanley@bakerlaw.com>; Prouty, Erika Dackin <eprouthy@bakerlaw.com>; Hooper, Rachel Palmer <rhooper@bakerlaw.com>; Doyle, Ty <tgdoyle@bakerlaw.com>

Cc: Theodore, Elisabeth <Elisabeth.Theodore@arnoldporter.com>; Ferenc, Sam <Sam.Ferenc@arnoldporter.com>; espeas@poynerspruill.com

Subject: RE: Pierce v. NCSBE -- Plaintiff experts

Stanton,

State Board Defendants will not have any experts.

Thanks,

Terence Steed

Special Deputy Attorney General

919-716-6567

Please note messages to or from this address may be public records.

From: Jones, Stanton <Stanton.Jones@arnoldporter.com>

Sent: Thursday, June 13, 2024 2:23 PM

To: Alyssa Riggins <alyssa.riggins@nelsonmullins.com>; Phil Strach

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Cc: Theodore, Elisabeth <Elisabeth.Theodore@arnoldporter.com>; Ferenc, Sam

<Sam.Ferenc@arnoldporter.com>; espeas@poynerspruill.com

Subject: RE: Pierce v. NCSBE -- Plaintiff experts

Counsel: We write to confirm that Defendants will serve their expert disclosures/reports by July 12 per the proposed scheduling orders submitted by both parties on April 1. Also, please confirm that, at the time of serving the expert reports, you will provide the experts' backup data including any computer code.

While these questions are primarily for Legislative Defendants, as we anticipate that State Board Defendants will not have any experts, we would appreciate if all Defendants will confirm promptly.

Thank you.

Regards,

Stanton

From: Theodore, Elisabeth <Elisabeth.Theodore@arnoldporter.com>

Sent: Friday, May 31, 2024 11:14 PM

To: Alyssa Riggins <alyssa.riggins@nelsonmullins.com>; Phil Strach

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Cc: Ferenc, Sam <Sam.Ferenc@arnoldporter.com>; Jones, Stanton

<Stanton.Jones@arnoldporter.com>; espeas@poynerspruill.com

Subject: Pierce v. NCSBE -- Plaintiff experts

Counsel:

We are disclosing Blake Esselstyn, Loren Collingwood, Traci Burch, and Jonathan Mattingly as experts under Rule 26. You should shortly receive an email with a link to download their reports as well as backup data, except that Dr. Collingwood is on a flight that has been delayed, so we'll send his report

as soon as we are able. Please let us know if you have any trouble accessing it.

Best,

Elisabeth

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